

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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BRYAN F. OPARKA,

Plaintiff,

v.

UNIFIED BUILDING SYSTEMS/  
MANAGEMENT CO. ,

Defendant.

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ORDER

09-cv-475-slc

Defendant has submitted a letter pointing out that the December 15, 2009 preliminary pretrial conference order indicated that the trial in this case would be to a jury, even though neither party has demanded a jury trial. Examination of the record shows that defendant is correct; neither side has demanded a jury trial. Therefore, under Fed. R. Civ. P. 39(b), the trial in this case will be to the court.

Entered this 11<sup>th</sup> day of January, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge